

RECEIVED  
CENTRAL FAX CENTER

AUG 15 2005

Certification of Mailing or Facsimile Transmittal	
I hereby certify that I have reasonable basis to expect that, on the date shown below, this correspondence is being submitted as indicated below:	
Facsimile transmitted to the U.S. Patent and Trademark Office via fax number 571-273-8300	
Joyce Moore	
Joyce Moore	
<i>Joyce Moore</i>	Signature
August 15, 2005	Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/764,931  
Applicant(s) : Peter Robert Foley, et al.  
Filed : January 26, 2004  
Title : CLEANING COMPOSITION  
TC/A.U. : 1751  
Examiner : Gregory R. Delcotto  
Conf. No. : 9645  
Docket No. : CM-2491D  
Customer No. : 27752

RESPONSE TO OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:


This is responsive to the Office Action mailed March 25, 2005.

Claims 1-6 are pending, and of these claims, Claim 1 has been withdrawn from consideration by the Examiner. Claims 2-6 were rejected under 35 U.S.C. Section 103(a) as purportedly being obvious over U.S. Patent Application Publication No. US 2002/0010106 A1, Uchiyama, et al. The Office Action states that the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA.

The Applicants respectfully request that this rejection be reconsidered and withdrawn. The Uchiyama, et al. patent application does not meet either criteria to constitute prior art under 35 U.S.C. 102(e). The Uchiyama, et al. patent application published on January 24, 2002, and, thus, was not published before the invention under 35 U.S.C. 102(e)(1). The Uchiyama, et al. patent application is not a patent, and, thus, does not qualify as prior art under 35 U.S.C. 102(e)(2).

Therefore, the rejection is not proper under Section 103, and it is respectfully requested that this rejection be reconsidered and withdrawn.

Respectfully submitted,  
PETER ROBERT FOLEY, ET AL.

By   
Jeffrey V. Gamber  
Attorney for Applicant(s)  
Registration No. 31,148  
(513) 627-4597

August 15, 2005  
Customer No. 27752  
CM2491D Response 8-2005.doc